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Restart

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: MATSUDA=13

In re Application of:) Conf. No.: 4190
)
Katsuya MATSUDA et al) Art Unit: 1615
)
Appln. No.: 09/807,190) Examiner: A. Pulliam
)
Filed: April 10, 2000) Washington, D.C.
)
For: POLYMER COMBINING WITH) January 28, 2002
PHOSPHORIC ACID AND)
PREPARATION CONTAINING ...)

REQUEST OR NON-FEE PETITION TO RESTART PERIOD FOR REPLY DUE TO
LATE RECEIPT OF OFFICE ACTION (MPEP §710.06)

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

The official action in the above-identified application was mailed from the Patent and Trademark Office on December 3, 2001. It was not received in this office until January 23, 2002. Accordingly, it is requested that the period for reply be restarted from the date of receipt of this Office Action, i.e., from January 23, 2002, with a due date of April 23, 2002.

This petition has been filed within two weeks of the date of receipt of the Office Action. More than one month of the three-month reply period has elapsed.

Bet
2-1-02

Attached hereto as Exhibit A is a copy of the cover page of the Office Action with date of receipt at our offices stamped on it. When the mail is opened at the Browdy and Neimark mailroom, it is our policy is to date stamp each document and to make an entry into the daily log that records receipt of all papers from the U.S. Patent and Trademark Office. Also attached hereto as Exhibit B is a photocopy of the 3-page log entry for January 23, 2002, partly blacked out for purposes of confidentiality, confirming that the above-identified Office Action was received on that date.

Browdy and Neimark has a zip code of 20001 and, therefore, all mail for delivery to Browdy and Neimark is normally sorted at the Brentwood Post Office. It is well known that, due to anthrax contamination, the Brentwood Post Office was closed. It appears that mail is still being randomly subjected to the decontamination process. The Notification identified above was obviously among the mail in this category due to the discoloration of the paper (evident to the undersigned) apparently caused by the decontamination process.

It is submitted that the criteria set forth in MPEP §710.06 for restarting the previously-set period for reply to this Office action has been met and that, therefore, this petition should be granted and the period for response should

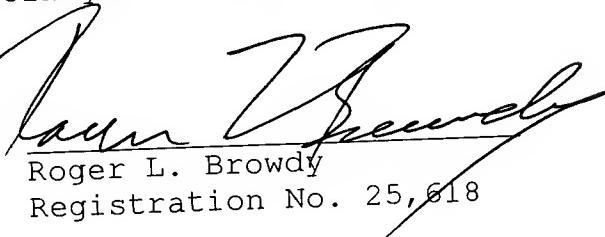
In re of Appln. No. 09/807,190

be restarted to run from the date of receipt at our address,
i.e., January 23, 2002.

It is not believed that any petition fee is due in
this matter. The delay was due to a *force majeur* wholly
outside the control of Browdy and Neimark. Accordingly, no
fee should be necessary to correct the problem.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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АМК

JAN 3 0 2002

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,190	04/10/2001	Katsuya Matsuda	MATSUDA 13	4190

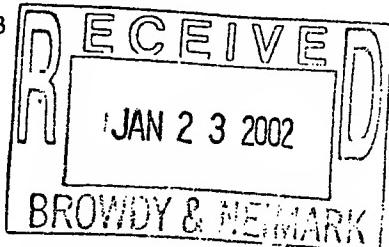
1444 7590 12/03/2001
BROWDY AND NEIMARK, P.L.L.C.
624 NINTH STREET, NW
SUITE 300
WASHINGTON, DC 20001-5303

EXAMINER
PULLIAM, AMY E

ART UNIT	PAPER NUMBER
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1615

DATE MAILED: 12/03/2001



Please find below and/or attached an Office communication concerning this application or proceeding.

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Amend =
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